

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA
Plaintiff

v.

Case Number 8:00cr9

USM Number 16409-047

RICHARD J. CARMONA
Defendant

Julie B. Hansen

Defendant's Attorney

JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)

THE DEFENDANT admitted guilt to violation of standard conditions 7 and 11 and special conditions 4 and 3 of the term of supervision.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offenses:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
2	Testing positive for cocaine and methamphetamine use; admitting to cocaine use	September 21, 2005
3	Failure to notify probation officer of new arrest	September 29, 2005
4	Failure to report for drug testing	Ongoing
5	Failure to report for substance abuse evaluation	September 27, 2005

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 *Booker and FanFan* decisions.

Allegation 1 is dismissed on the motion of the United States .

Following the imposition of sentence, the Court advised the defendant of his right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within ten (10) days of this date.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:
December 1, 2005

s/Joseph F. Bataillon
United States District Judge

December 8, 2005

Defendant: RICHARD J. CARMONA [True Name: Richard Carmona, Jr.]
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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **twelve (12) months to be served consecutively with the sentence imposed in case 8:05CR375.**

(x) The defendant is remanded to the custody of the United States Marshal.

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this ____ day of _____, _____

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the ____ day of _____, _____ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt , above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this ____ day of _____, 20____

UNITED STATES WARDEN

By: _____

Defendant: RICHARD J. CARMONA [True Name: Richard Carmona, Jr.]
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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

Total Assessment

\$100

Total Fine

Total Restitution

\$5,625.99

FINE

No fine imposed.

RESTITUTION

The defendant shall make restitution to the following payees in the amounts listed below. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name of Payee</u>	<u>**Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
Commercial Federal Bank Tax ID #47-130810 2120 So. 72nd St. Omaha, NE 68005	\$1,265.99	\$1,265.99	Pro rata
First Nebraska Credit Union Tax ID #47-0524996 4951 Center St. Omaha, NE 68106	360.00	360.00	Pro rata
U.S. Bank Tax ID #41-0417860 2555 So. Colorado Blvd. Denver, CO 80222	4,000.00	4,000.00	Pro rata
Totals	\$5,625.99	\$5,625.99	

**Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for Offenses committed on or after September 13, 1994 but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☒ **\$100 special assessment has been paid in full.**
 B ☐ \$_____ immediately, balance due (in accordance with C, D, or E); or
 C ☐ not later than _____; or
 D ☒ **Restitution - A balance due of \$5175.81 remains payable.**
 E ☐ in _____ (e.g. equal, weekly, monthly, quarterly) installments of \$_____ over a period of _____ year(s) to commence _____ day(s) after the date of this judgment.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

All financial penalty payments are to be made to the Clerk of Court for the District of Nebraska, 111 South 18th Street Plaza, Suite 1152, Omaha, NE 68102.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ The defendant shall pay the cost of prosecution.
☐ The defendant shall pay the following court cost(s):
☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those made through the Bureau of Prisons' Inmate Financial Responsibility Program are to be made as directed by the court, the probation officer, or the United States attorney.

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

DENISE M. LUCKS, CLERK

By _____ Deputy Clerk